GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:3643
ANSWERED ON:12.12.2002
ELIMINATING THE NEED TO HAVE DOCUMENTS NOTARISED/ATTESTED
VINAY KUMAR SORAKE

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government would consider supplementing the relief already given to poor litigants through enactment of Legal Services (Amendment) Bill,2002 by eliminating the need to have documents notarised/attested by Oath Commissioners, prior to submission to courts;

(b) whether the system of notarisation /attestation by oath commissioners has become obsolete and redundant;

(c) if so, whether the Government would also consider imposing penalty/punitive measures for perjury committed through filing of wrong/untruthful documents, on Notary Public/Oath Commissioner who attest such documents; and

(d) if so, the details thereof?

Answer

MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI)

(a): There is no proposal under consideration of the Government for eliminating the need to have documents notarised/attested by Oath Commissioners, prior to submission to courts.

(b) to (d): The system of notarisation/attestation by Oath Commissioners has not becomeobsolete or redundant. Notarisation/attestation of documents enhances their evidentiary value, as courts take judicial notice of them, which then need not be proved, vide sections 56 and 57 of the Indian Evidence Act, 1872. Penal provisions for perjury committed through filing of wrong/untruthful documents, notarised/ attested by Oath Commissioners, already exist.